

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

PETER JAMES

v.

ALLY BANK, ET AL.

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CIVIL CASE NO. 4:21-CV-925-SDJ

**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 3, 2023, the Report of the Magistrate Judge, (Dkt. #30), was entered containing proposed findings of fact and recommendations that Defendants Ally Bank, Ally Financial, Inc., Kimberly P. Harris, and Jake W. Burton’s FCRP 12(b)(6) Motion to Dismiss for Failure to State a Claim upon Which Relief Can Be Granted, (Dkt. #29), be granted. Having assessed the Report, and no objections thereto having been timely filed, the Court determines that the Magistrate Judge’s Report should be adopted.

It is therefore **ORDERED** that Defendants Ally Bank, Ally Financial, Inc., Kimberly P. Harris, and Jake W. Burton’s FCRP 12(b)(6) Motion to Dismiss for Failure to State a Claim upon Which Relief Can Be Granted, (Dkt. #29), is **GRANTED**. *Pro se* Plaintiff Peter James’s claims are **DISMISSED WITH PREJUDICE**.

So ORDERED and SIGNED this 27th day of January, 2023.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE